

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

**UNITED STATES OF AMERICA,**

**Plaintiff,**

**v.**

**JOHN McCRAY, Jr.,  
and EUGENE FALLS,**

**Defendants.**

**No. 05-CR-30027-DRH**

**ORDER**

**HERNDON, District Judge:**

Now before the Court is motion to continue trial of McCray Jr. (Doc. 40). The Court being fully advised in the premises finds that McCray Jr., needs additional time to conduct plea negotiations. The Government does not object to the continuance. In addition, the Court finds that pursuant to **18 U.S.C. § 3161(h)(8)(A)**, the ends of justice served by the granting of such continuance outweigh the best interests of the public and the Defendants McCray Jr. and Falls in a speedy trial. Therefore, the Court **GRANTS** motion to continue trial of McCray Jr. (Doc. 40). The Court **CONTINUES** the **jury trial** scheduled for May 16, 2005 at 9:00 a.m. to **Tuesday, July 5, 2005 at 9:00 a.m.** The time from the date the original motion was filed, May 11, 2005, until the date to which the trial is

rescheduled, July 5, 2005, is excludable time for the purposes of speedy trial. The parties shall notify the Court if a change of plea hearing is necessary.

**IT IS SO ORDERED.**

Signed this 12th day of May, 2005.

/s/ David RHerndon  
**United States District Judge**